

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

THE ESTATE OF KRISTINA ANN
FIEBRINK, *by special administrator*
Nathaniel Cade, Jr., THE ESTATE OF
ANGELICA M. FIEBRINK, JOSE D.
MARTINEZ, JR., and ROBERT
MARTINEZ,

Plaintiffs,

v.

ARMOR CORRECTIONAL HEALTH
SERVICES, INC., DR. KAREN
RONQUILLO-HORTON, BROOKE
SHAIKH, VERONICA WALLACE,
BRITENY R. KIRK, EVA CAGE,
BRANDON DECKER, MILWAUKEE
COUNTY, DAVID A. CLARKE, JR.,
RICHARD R. SCHMIDT, LATISHA
AIKENS, BRIAN PIASECKI,
JENNIFER MATTHEWS, LATRAIL
COLE, LATOYA RENFRO,
EVANSTON INSURANCE
COMPANY, WISCONSIN COUNTY
MUTUAL INSURANCE
CORPORATION, NANCY EVANS,
KEVIN NYKLEWICZ, WISCONSIN
HEALTH CARE LIABILITY
INSURANCE PLAN, and JOHN
DOES 1-20,

Defendants.

Case No. 18-CV-832-JPS

ORDER

Defendants have filed a number of dispositive motions with respect to Plaintiffs' original complaint. (Docket #20, #30, #32, #42, and #53). By

agreement of the parties, (Docket #40 at 2 and #49), Plaintiffs were permitted to respond to the motions by October 16, 2018. They did so by filing an amended complaint. (Docket #57). When an amended complaint is filed, it becomes the controlling pleading and the prior pleading is withdrawn. *Johnson v. Dossey*, 515 F.3d 778, 780 (7th Cir. 2008). Thus, all of the dispositive motions have been rendered moot and will be denied as such. Should Defendants wish to renew any of these motions, they must be re-filed and directed at the operative pleading. To the extent the arguments in the renewed motions will have changed little between the original and amended complaints, the Court encourages the parties to stipulate to an expedited briefing schedule so that the motions may be addressed promptly.

Accordingly,

IT IS ORDERED that Defendants' various dispositive motions directed at the original complaint (Docket #20, #30, #32, #42, and #53) be and the same are hereby **DENIED as moot**.

Dated at Milwaukee, Wisconsin, this 18th day of October, 2018.

BY THE COURT:



J.R. Stadtmueller
U.S. District Judge